

Department of Planning and Zoning

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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner
Date: March 17, 2015
RE: 20 Pine Street ZP15-0803CA

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: 15-0803CA

Location: 20 Pine Street

Zone: D **Ward:** 3

Date application accepted: February 18, 2015

Applicant/ Owner: Chittenden County Transportation Authority / Cathedral of the Immaculate Conception Parish Charitable Trust

Request: Curbing and pavement development within **an 8 foot wide easement** that extends from the south edge of the Pearl Street right-of-way to the north edge of the Cherry Street right-of-way along the western edge of the St. Paul Street right-of-way. The easement was granted to CCTA by the Cathedral of the Immaculate Conception Parish Charitable Trust to be used in association with the development of the Burlington Downtown Station project.

The applicant has received a **Non-Applicability for Zoning Permit Requirements** for the development of the Downtown Transit Station project area within the public right-of-way.

Background:

- There are no permits on file for the property.

Overview: The Downtown Burlington Transit Station is proposed to occupy the one-block section of St. Paul Street from Pearl to Cherry Street. Almost all of the work, both above and below grade is within the public right-of-way, and therefore outside zoning review.

The applicant (CCTA) has been granted an 8' easement along Diocesan property on the westerly side of the street to accommodate sidewalks, curbing and a fence. As the estimated construction cost exceeds \$24,000, the application is a level II COA requiring DRB approval.



Recommendation: Consent approval, per the following findings and conditions:

I. Findings

Article 4: Zoning Maps and Districts

Table 4.4.1-1 Dimensional Standards and Intensity

Maximum coverage in the Downtown zone is 100%. The application is directly at only the easement area: an 8' wide strip that is approximately 2,757 sq. ft. The application proposes a similar assembly of asphalt (1,735 sf), curb (173 sf.) and grass (849), on which the proposed fence will be located.

Front Yard Setback is the greater of 0' or 12' from the curb; however no structures are proposed within the easement area.

For Stormwater purposes, a de minimus determination was reached for proposed site changes.

For purposes of this standard, the application meets the standards.

Affirmative finding.

Article 5: Citywide General Regulations

Part 2: Dimensional Requirements

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

Not applicable.

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.1-1, above.

Section 5.2.4 Buildable Area Calculation

Not applicable.

Section 5.2.5 Setbacks.

See Table 4.4.1-1, above.

Section 5.2.6 Building Height Limits

Not applicable.

Section 5.2.7 Density and Intensity of Development Calculations

Not applicable.

Part 3: Non-Conformities

Not applicable.

Part 4: Special Use Regulations

Not applicable.

Section 5.4.9 Brownfield Remediation

Not applicable.

Part 5: Performance Standards

Section 5.5.1 Nuisance Regulations.

No nuisances identified. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

There is no lighting identified within the 8' easement area on the plans. Not applicable.

Section 5.5.4 Tree Removal

Six trees fall within the Transit Center project area; however all are within the public right-of-way outside the easement area; therefore outside this review. Not applicable.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

(a) Protection of Important Natural Features

There are no important natural features present within the easement area. **Affirmative finding.**

(b) Topographical Alterations

No topo alterations are proposed. **Affirmative finding.**

(c) Protection of Important Public Views

There are no protected public views from this easement area. Not applicable.

(d) Protection of Important Cultural Resources

Not applicable.

(e) Supporting the Use of Renewable Energy Resources

No part of this application will prevent the use of solar, wind, geothermal, or water generated renewable energy resources. **Affirmative finding.**

(f) Brownfield Sites

None identified. Not applicable.

(g) Provide for Nature's events

The basis for this easement is to support the Transit Center development with curbing, sidewalks, underground utilities, and fencing. The Stormwater administration team has deemed the project involvement at this site to be "de minimus." **Affirmative finding.**

(h) Building Location and Orientation

Not applicable.

(i) Vehicular Access

Not applicable.

(j) Pedestrian Access

The proposed enhanced sidewalks with curbing will facilitate pedestrian access to the Transit Center, providing connectivity to the city sidewalk network. **Affirmative finding.**

(k) Accessibility for the handicapped

The easement area does not include crosswalk access; however the plan defines sidewalk access with detectable crosswalk identification and ramped access to enable access by all. **Affirmative finding.**

(l) Parking and Circulation

No parking is included within the project area. Circulation will benefit from the sidewalk/curbing development to complete the Transit Center. **Affirmative finding.**

(m) Landscaping and Fences

A fence application is anticipated under a separate application, and is not included herein. Tree removal is outside the easement area, within the public right-of-way and therefore not within this review scope. Not applicable.

(n) Public Plazas and Open Space

The limited project area will provide a benefit to the proposed Transit Center, which will quite effectively become a public area for commuters. **Affirmative finding.**

(o) Outdoor Lighting

There is no lighting proposed within the easement area. Not applicable.

(p) Integrate Infrastructure into the design

As this application largely addresses an extension of the public sidewalk and curbing, no additional infrastructure is anticipated to be included. Not applicable.

Part 3: Architectural Design Standards

Not applicable.

Article 7: Signs

Any signage on this easement area will require separate sign permit(s). **Affirmative finding as conditioned.**

Article 8: Parking

Not applicable

II. Conditions of Approval

1. Any signage on this easement area will require separate sign permit(s) as may be required.
2. Standard Permit Conditions 1-15.

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